



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION  
*ELlicott City Historic District ■ LAWYERS HILL Historic District*  
3430 Court House Drive ■ Ellicott City, Maryland 21043

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*Administered by the Department of Planning and Zoning*

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## January Minutes

Thursday, January 17, 2019; 7:00 p.m.

The January continuation of the December 6, 2018 meeting of the Historic Preservation Commission was held on Thursday, January 17, 2019 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich;  
Erica Zoren

Staff present: Beth Burgess, Susan Overstreet, Kaitlyn Clifford, Lewis Taylor

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### PLANS FOR APPROVAL

#### Continuation Agenda

1. HPC-18-62 – 3531 Sylvan Lane, Ellicott City
2. HPC-18-63 – 5819 Lawyers Hill Road (6219 Lawyers Hill Road per design guidelines map)

### OTHER BUSINESS

1. Work-session for CB3-2019

## CONTINUATION AGENDA

### HPC-18-62 – 3531 Sylvan Lane, Ellicott City

Certificate of Approval for new addition/exterior alterations.

Applicant: Brandon Morris

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. In February 2014 (case HPC-14-03) the Commission reviewed and approved an application for repairs and alterations to this structure as a result of a fire. The staff report from 2014 references an earlier application from 1990 where the Commission approve the replacement of wood windows on the house with vinyl windows, finding that the house was not architecturally significant. The 2014 application included replacing the siding (a combination of wood shake and vinyl lap) with HardiePlank lap siding, replacing vinyl windows in-kind with new vinyl, replacing a steel door in-kind with a new steel door, and using a fiber cement product for the soffits and fascia. The Commission approved the application as submitted in 2014, but found that the house was architecturally significant to the Ellicott City Historic District, which contains very few bungalow styles of housing. The Commission did not approve tax credits for the repairs as they found the proposed materials did not qualify.

The house has been converted to a duplex and the Applicant proposes to restore the building to a single family structure, by blending a Craftsman style home with rustic farmhouse wrap around porch and deck. The Applicant seeks approval to make the following alterations:

- 1) Roof – Replace the existing multi-colored green composite roof with a new black or gray composite shingle roof.
- 2) Windows – Remove the existing 6:6 white vinyl windows and replace them with Integrity 1:1 black fiberglass windows. Trim all windows with white PVC in a bungalow style trim design.
- 3) Siding – Maintain the existing HardiePlank lap siding and color, Mountain Sage.
- 4) Doors – Create a new front entry facing the street (north side of house) as the current entry is located on the west side of the building. The existing door is a white steel half-light door (9 lights over 2 panels). The Applicant proposes to install a fiberglass Craftsman style door with 3 vertical simulated divided light above 2 vertical panels.
- 5) Electrical panels – Relocate electrical panels from the north side of the building where the new front door is proposed and moved to the new wall between the garage wall and the new front porch.
- 6) Front Porch – Remove existing ADA ramp and construct a new wrap around front porch in order to create a true front entrance. The porch will consist of Trex Transcend composite decking in the color Island Mist, Trex Transcend railings in the color classic white and PermaSnap cPVC column wraps in the color white.
- 7) Garage – Construct a new front loading garage, as the property does not allow for a side, rear or detached garage. There are historic trees and landscape hindrances that would not support a garage on the side or rear of the home. The garage will be 23'5" long by 21'4" wide and sided in HardiePlank lap siding to match the existing in design and color.
- 8) Construct a 27'5" feet wide by 12'3" long rear addition on the south side of the house facing the railroad tracks/Patapsco River.
- 9) Demolition – The Applicant proposes to demolish the existing front porch (which is located on the west side of the house, the ramp connecting to the porch, and the small deck on the north side of the house facing the street).

#### **Staff Comments:**

The Staff Comments are the same as for the December 6, 2018 meeting. Commission comments from the December 6, 2018 meeting are noted below Staff Comments.

### Roof

The roof is currently a multi-colored green composite roof. The proposal to replace it with a new black or gray composite shingle roof generally complies with Chapter 6.E recommendations, "use asphalt shingles that are flat, uniform in color and texture and of a neutral color." The proposed colors, black or gray, are both neutral, but gray would be a softer, more neutral color. The Commission has approved architectural shingle roofs in the recent past, finding the Guideline for a flat asphalt shingle to be outdated. The exact roof shingle product has not been identified, but should be specified so that is known whether the Applicant intends to use a flat shingle or architectural shingle.

### Windows

The windows on the house are currently 6:6 white vinyl and the Applicant proposes to replace them with 1:1 black fiberglass, trimmed with white PVC. Chapter 6.H recommends against "using metal or vinyl windows on historic buildings or in highly visible locations." Typically vinyl or fiberglass windows would not be approved for a historic building, but the vinyl windows previously existed when replaced in 2014, (an in-kind replacement since vinyl was originally installed in 1990 as explained above.) Since the current request proposes a material and design change, the Commission may want to consider whether some Craftsman features could be reintroduced. The use of 3:1 windows (an example shown in Figure 7 and page 39 of the Design Guidelines), would be more appropriate and comply with the Guideline recommendations, as they are common to bungalow/Craftsman style homes. In 1990 wood windows (6:6 arrangement) were replaced with vinyl windows, although it is unknown if they were original. Chapter 6.H recommends, "replace inappropriate modern windows with windows of appropriate style. If documentary evidence of the original windows is available, choose new windows similar to the original. Otherwise, select windows appropriate to the period and style of the building." Chapter 6.H of the Guidelines explains, "windows in the historic district should generally have true divided lights, rather than sandwiched or interior snap-in muntins...Windows with permanent exterior grilles are an alternative that can be similar in appearance and reflective qualities to true divided lights." The Guidelines state that "wood windows clad with a permanent finish are a good, low maintenance alternative" to modern materials.

### Siding

The house previously had a combination of wood shake and vinyl lap siding, which was replaced with HardiePlank lap siding after a 2014 fire. The Applicant will maintain the use of HardiePlank on the house and use new HardiePlank, with the same details and color, on the new rear addition and garage addition. The continued use of HardiePlank complies with Chapter 7.A recommendations, "on any building, use exterior materials and colors (including roof, walls and foundations) similar to or compatible with the texture and color of those on the existing building."

### Doors, Electrical Panels, Front Porch and Garage

The application explains that the Applicant proposes to construct a new front entry and porch on the north side of the housing facing the street, as the current entry is located on the west side of the house due to ADA access for the previous owner. However, after visiting the site, Staff finds the west side of the house is the original front of the house and was most likely designed that way to take advantage of views of the Patapsco River. The details on the porch, such as the wide columns (including base and capital) and brick piers, appear to be original components of the house. The location of the center dormer above the porch are also indicative of the front of a Craftsman/bungalow style house. The Commission should determine which side they find to be the actual front of the home, as all elements and alterations from this point out are determined by which side is considered the front. The Applicant proposes to install a black fiberglass Craftsman style door with 3 vertical simulated divided light above 2 vertical panels on the north side of the house to create a front door facing the street and replace the existing front door on the west side of the house with either two full light French doors or a pair of sliding glass doors (there are no specs provided for this item, which will be needed). The style of the door

complies with Chapter 6.G of the Guidelines, which recommends, “replace inappropriate modern doors with doors of an appropriate style.” However, the fiberglass material does not completely comply as the Guidelines state, “simple paneled doors of wood or wood and glass are usually best, but metal doors with an appropriate style and finish can convey a similar appearance.” While the Guidelines give some flexibility with this item, a wood door would qualify for tax credits, whereas a fiberglass door would not.

As part of the new front entry, the Applicant proposes to remove the existing front porch and ADA walkway and construct a wrap-around porch that would wrap around the north side, west side and south side of the house. The removal of the existing front porch, which is located on the west side of the property, does not comply with Chapter 6.F recommendations, which recommend against, “removing a porch or balcony that is original or that reflects the building’s historic development.” The porch and the columns, which appear original, are character defining features of this Craftsman/bungalow style home. The existing front porch has been altered over the years for ADA accommodation as seen by the ramps. The flooring is clearly not historic decking. However, the removal of the existing porch and subsequent replacement with the wrap-around porch would impact the integrity of the house. The Applicant proposes to construct the wrap-around porch with Trex Transcend composite decking in the color Island Mist, Trex Transcend railings in the color classic white and PermaSnap cPVC column wraps in the color white. The removal of wood columns and railings does not comply with the Guidelines, which recommend, “if the porch is integral to the design of the building, replace it with a new porch similar in style, scale and detail.” The proposed Trex decking would be more appropriate for a rear deck, but are not appropriate for a proposed wrap around porch, or as a replacement decking for the historic porch (if retained). This house, similar to others in Ellicott City, most likely had a painted tongue and groove wood porch. Chapter 6.F explains that “materials generally not appropriate for historic porch replacements include unpainted pressure-treated wood, poured concrete and metal.” The Guidelines pre-date the use of Trex and other composite deck materials, but in general, Trex would not be seen as a replacement that, per Chapter 6.F of the Guidelines, is “similar in style, scale and detail.”

The proposed columns for the new wrap around porch will be pressure treated wood wrapped in the PermaSnap column wrap. The size of the columns was not specified, but from the renderings it does not appear they will match the size and design of the existing columns, shown in Figure 10. Overall, the removal of the existing historic front porch and construction of the new porch does not comply with the Guidelines. However, adding a porch to the south side of the house (which is the side but appears to be the rear) facing the railroad tracks and river would comply with the Guidelines as it will not be visible from the public right of way. Chapter 7.B states, “porches or decks added to historic buildings should be simple in design and not alter or hide the basic form of the building.” The porch as proposed would alter the form of the building, but if only added to the south side of the building facing the river, would not alter it.

The electrical panels are currently located where the new door is proposed to be installed and they will be moved to the new wall end wall that will be created between the house and proposed garage (they will then be perpendicular to the street and not as highly visible). The relocation of this item complies with Chapter 6.L recommendations, “whenever possible, install equipment out of sight of public ways or other properties.”

The proposed garage will be constructed on the north side of the house facing the street. Although this side faces the street, it is actually the side of the house. The garage design incorporates a Craftsman/bungalow style panel and window arrangement, which matches the design of the proposed door. It appears there will need to be some grading in order to construct a driveway to the garage without an extreme slope and more information is needed on how much grading/excavation will be needed and whether or not retaining walls will be needed. The material of the driveway is unknown.

#### Rear addition (south side of house)

The proposed rear addition will be located on the south side of the house, facing the railroad tracks/Patapsco River. While referred to as the "rear", this is actually the side of the house. The wrap around porch will continue on this elevation along the existing structure, but will not continue around the addition. The addition will be two stories in height with several new windows, as shown in the drawings. The addition will be 27'5" feet wide by 12'3" long. The addition will use the HardiePlank siding to match the house and the proposed Integrity black fiberglass 1:1 windows. The proposed rear addition complies with Chapter 7 recommendations, "attach additions to the side or rear of a historic building to avoid altering the primary façade." The roofline will change substantially as this is proposed to be a two-story addition and will change the look of the front of the house as a result (front being the side view from the west). However, given the constraints of the lot and the siting of the house, the addition will not be highly visible and the south side of the house cannot be seen when looking at the house from the public right of way.

**Staff Recommendation from December 6, 2018:** Staff recommends this application be amended to Advisory Comments, with the following recommendations for the Commission to consider:

- 1) Approval of the roof, subject to submittal of an appropriate spec sheet, of a gray roof.
- 2) Alternate windows, such as a clad wood in a 3:1 or 6:6 pattern be used.
- 3) Approval of the use of HardiePlank siding, on the garage and addition be used.
- 4) Denial of new "front" door on the north side of the house.
- 5) Denial of new "front" porch on the north side of the house.
- 6) Approval of the proposed Craftsman style fiberglass door for use on the actual front/west side of the house, but tax credit pre-approval if a wood door of the same style is used.
- 7) Approval of the construction of the garage on the north side of the house.
- 8) Approval of relocation of the electrical panels.
- 9) Approval of the demolition of the deck on the north side of the house facing the street.
- 10) Approval of the demolition of the ADA walkway and ramp on the north/west side of the house.
- 11) Denial of the proposed demolition of the historic front porch on the west side of the house.
- 12) Approval of the proposed rear addition.

#### **Commission Comments from December 6, 2018 meeting:**

The Commission agreed that they took no issue with the approval for new roof shingles, the window replacement, the HardiePlank siding, the wrap-around porch, removal of the side porch and the ADA ramp, the replacement of the side entry sliding door with a Craftsman style fiberglass door, the relocation of the electrical panels, and the rear addition. The Commission requested improvements in the form of the garage setback, rooflines, doors, and a change of materials to wood for the porch. The Commission would deny demolition of the historic front porch, but the Applicant said he is retaining the porch. The Commission had concern for the proposed roof addition, specifically the dormer above the garage. The Commission suggested Mr. Morris amend his drawings as well as provide a building section across both directions to understand the roof sections and how they interact with each other. The Commission questioned the need for the gable on the garage because it looks out of place and suggested continuing the roofline from the house down to the garage, adding a shed dormer on the second floor where windows are proposed to make it look like it is part of the overall composition.

**Testimony:** Mr. Shad swore in the Applicant, Brandon Morris. Mr. Morris discussed the adjustments that were made to his plan since his December 6, 2018 submittal. Mr. Morris noted he had included a shed dormer with two windows above the garage. Mr. Morris stated he considered the garage setback as the Commission had originally suggested at the last meeting, but as he only has three feet behind the building before a steep downslope, he was unable to incorporate it into his plan. The Commission was concerned

about a lack of windows on the left side of the building. Mr. Morris said that this was the side of the garage that would face his neighbors and he is worried about his security if windows were to be added.

Mr. Morris stated he had changed the wood decking on the porch from Trex Select to a southern yellow pine, and asked the Commission if they would prefer a tongue and groove or a decking in a 2 x 4 or 4 x 6 pattern. Mr. Reich responded that the District contains mostly tongue and groove decks. Mr. Morris said he would incorporate the tongue and groove for his deck. Mr. Morris reassured the Commission that an architect had reviewed his proposed roof and confirmed there would be no ice damming or drainage issues.

Mr. Morris explained that the side sliding glass door was changed to a craftsman style door to match with the new front door. Mr. Morris confirmed that the new windows on the garage roof dormer will be centered and align with the two garage doors below.

The Commission stated they liked the garage with two separate garage doors, but did not like the current shed dormer design with two windows. Ms. Zoren referenced an earlier design Mr. Morris submitted with three windows to be more appealing than the current design. Mr. Morris stated he would be amendable to the triple window request. Ms. Zoren expressed concern with the primary roof slope, as Mr. Morris would not be able to get a warranty on the roof at the slope he has it depicted if he uses all asphalt shingles. Mr. Morris said he was okay without getting a warranty on the roof.

Ms. Burgess clarified that there had not been approval on the railing selection of Trex transcend white railing at the previous meeting. The Commission approved the proposed railing and said they appreciated all the changes Mr. Morris had made to his previous application, as the proposal would better fit with the Historic District.

**Motion:** Mr. Reich moved to approve the application as submitted with the changes of the tongue and groove wood porch and to add the triple window in the new shed dormer, and for tax credits for the porch and existing roof replacement. Mr. Roth seconded. The motion was unanimously approved.

**HPC-18-63 – 5819 Lawyers Hill Road (6219 Lawyers Hill Road per design guidelines map), ElkrIDGE**  
Advisory Comments for Site Development Plan  
Applicant: Donald R. Reuwer Jr.

**Background & Scope of Work:** The 8.76-acre property, containing an abandoned wood, shingle-sided, outbuilding and debris, is zoned R-ED (Residential: Environmental Development). It does not have a principal structure.

The site is in the Lawyers Hill Historic District, which is a local and a National Register Historic District that spans I-95. The District is significant for its contributions to architecture, as well as community planning and development. The National Register nomination states, "The Lawyers Hill Historic District is significant for its diverse collection of Victorian-era architecture and for its role as a 19th century summer community and early commuter suburb for prominent Baltimoreans...The Hill's unique character is based on its concentration of 19th century domestic dwellings located in the center of the community along Lawyers Hill and Old Lawyers Hill roads. The structures represent a range of 19th century architectural styles. While the buildings vary in style, they are closely related in setting, scale and materials. Lawyers Hill is also significant for its landscape architecture and community planning. Houses were built to fit the contours of the hillside and blend with the natural landscape. Most of the buildings are set back at least one hundred yards from the narrow and winding roads, evoking the spirit of the pre-auto era. The natural and man-made

landscape has been allowed to mature, shrouding the houses in foliage and creating thick canopies over the roads.”

On April 5, 2018, the Applicant presented three development scenarios to the Historic Preservation Commission (HPC) for advisory comments and is now asking the same for a new plan. The application includes a color and black and white copy of the plan, and photos of the site, existing houses in the Lawyers Hill Historic District and those of the proposed homes. The Applicant has requested HPC comments on the “typical Beazer home” and any necessary modifications to the architecture or exterior materials.

The Applicant proposes 17 single family lots and will be submitting a preliminary equivalent sketch plan (SP) to the Department of Planning and Zoning (DPZ), which will be reviewed by the Planning Board. The lots range from approximately 6,200 to 8,600 square feet, with most around 6,200 square feet. The illustrative plan shows street trees along a new public road. While the black and white plan does not include the entire site, it appears that open space lot 18 is proposed along Lawyers Hill Road. Open space is also proposed between Lot 5 and 6 to buffer the historic Gables House (HO-389). The plan further shows that nine trees will be retained after development.

Photos of existing homes in the Lawyers Hill Historic District show a variety of architectural styles; mostly historic, but some modern. The proposed homes are suburban in character with brick facades and siding on the sides and rear, front loaded garages, gabled roofs, and front porticos or porches. Some porches are supported by square columns, while others by flared Craftsman style columns. Some homes combine materials on the front façade, such as brick and siding, or a stone veneer and siding.

#### **Staff Comments:**

The Staff Comments are the same as for the December 6, 2018 meeting with the exception of new application materials supplied by the Applicant.

Landscaping is an important feature in the Lawyers Hill Historic District:

The nomination form explains, “historically, there has been a great emphasis on landscaping in Lawyers Hill...A wide diversity of forest trees continue to flourish on the hill, among them ash, beech, chestnut, sugar maple, oak, hickory, cedar, blue spruce, pine, lindens, dogwoods and hollies. Numerous ornamental trees and shrubs also survive on Lawyers Hill, some over one hundred years old, including boxwoods, paulownia, wisteria, rhododendron and roses. Mature fruit trees planted in the yards of many houses include apples, pears, peaches and cherry. The landscape is a carefully guarded legacy.”

This goal has been supported through voluntary land easements that many property owners have added over the years. The easements in Lawyers Hill include Rockburn Land Trust easements, Conservation easements, Maryland Environmental Trust easements and Maryland Historical Trust easements (easements are shown in Figure 11 in green and blue, and the subject property is shown with a red star).

Many architectural styles are found in Lawyers Hill. Chapter 3 of the Design Guidelines states that these include a variety of late 18th and 19th century styles such as: Dutch Colonial, Gothic Revival Cottage, Italianate, Stick Style, Queen Anne, and Shingle Style, as well as 20th century styles such as, Dutch Colonial Revival, Shingle Style Revival, and Craftsman. In addition, there are several modern houses, but they are on wooded lots and not highly visible. Chapter 8.C explains that “historic homes range from one and one-half to three stories in height, with several one-story homes among the more recently constructed houses. Wood frame construction is dominant.”

The photos of the proposed homes show a mix of brick or stone veneer facades with siding on the sides and rear. They include multiple siding materials and features such as multiple gable pitches within a single

roofline. While these design features may not be compatible with historic homes in Lawyers Hill, the Guidelines explain that “new homes need not attempt to replicate historic styles. However, to preserve the historic character and value of the district, new buildings visible from the District’s public roads should be compatible with the form and scale of the historic homes.” While the proposed homes are not consistent with this recommendation, their individual elements may be. The HPC should, therefore, provide advice on elements that could be considered consistent.

Section 16.607 of the County Code states that the Commission “shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.” The HPC should consider this statement when deciding on the architectural character of the proposed homes.

Chapter 7 of the Lawyers Hill Design Guidelines further addresses new construction: additions, porches, garages and outbuildings. Chapter 7.B states, “although garages and carports are not a common feature in Lawyers Hill, the garages and carports that do exist provide examples of appropriate design for new structures.” Chapter 7.B recommends to, “design new garages and carports to be compatible with the materials, colors and scale of the existing house” and “place new detached garages or carports to the rear of the house, separated from the house by a substantial setback” and “on early 20th century houses, use attached carports placed on the side or rear of a house, in a location where the construction does not damage or obscure important architectural features.” The proposed homes show two-car, front-loading garages, which is inconsistent with the Guidelines. Chapter 7.B also recommends against, “placing a new garage or carport where it blocks or obscures views of a historic house, is highly visible from a public road, or is in a front yard.”

Chapter 8 of the Guidelines provides recommendations for new homes and principal structures. Chapter 8.A explains, “because Lawyers Hill grew incrementally, there are a variety of lot sizes and shapes, and homes vary in their distances or setbacks from the roads. Most homes are set back substantially from public roads and screened by trees and shrubs. New development should continue this pattern, which is part of the historic environmental setting of the District, by providing substantial landscaping and locating new structures with large setbacks from Lawyers Hill Road and Old Lawyers Hill Road. New subdivision lots should be designed to allow new homes to have setbacks from these roads similar to those of older houses on neighboring lots.”

The proposed development will be set back significantly from Lawyers Hill Road. The illustrative plan proposes an expansive lawn between Lawyers Hill Road and the new homes. Chapter 8.A.1 recommends, “provide large setbacks between new houses and Lawyers Hill Road or Old Lawyers Hill Road. Retain existing vegetation and plant new vegetation to screen new homes from these roads.” While the site plan does not indicate how many trees will be removed in this area, it appears that many will be. As many trees as possible should be retained to best comply with the Guidelines.

The open space between Lots 5 and 6, provides a buffer to the Gables House, consistent with Chapter 8.A.2, which recommends against, “locating new homes so that they block existing views of historic homes from public roads.”

Chapter 8.B discusses site design and that home sites in Lawyers Hill were originally designed to blend with the rolling hillsides and that trees were retained by limiting clearing and grading. Chapter 8.B explains, “properties were informally landscaped with an assortment of ornamental trees, shrubs and flowers. Mature trees and shrubs and open, naturalized landscape patterns contribute greatly to the Historic District’s environmental setting. It is important that new construction retain these landscape characteristics.”



**Staff Recommendation from the December 6, 2018 meeting:** The HPC should consider requesting additional details regarding which home model or elements of each model are proposed; the number and location of trees proposed for removal; and the proposed layout and siting of the individual houses.

Per the January 17, 2019 meeting, the Applicant submitted a binder with additional information for the Commission including the following:

- A letter to the Commission dated December 14, 2018
- The Howard County Code, Section 107: R-ED
- Zoning Maps of Lawyers Hill Historic District
- Lawyers Hill Historic District correspondences from 1993
- Zoning Board Case #948 M Decision and Order dated April 25<sup>th</sup>, 1994 including multiple exhibits
- Sections of the Lawyers Hill Historic District Design Guidelines
- The Howard County Historic District Commission Rules of Procedure
- Plans and Exhibits of the Site including a Scenic Road Exhibit, a Specimen Tree Exhibit (Figure 16), a Limit of Disturbance Plan (Figure 16), a Single Family Lot Plan depicting front loading garages (Figure 14), a Single Family Lot Plan depicting detached recessed garages (Figure 15) and examples of Beazer Homes.

The Following are plans proposed for review at the January 17, 2019 meeting:

- Site Plan depicting front loading garages
- Site Plan depicting detached recessed garages
- Site Plan depicting the limit of disturbance and specimen tree data

**Testimony:** Before the start of testimony Mr. Roth moved to go into closed session at 7:23 pm and Mr. Reich seconded. The motion to go into closed session was unanimously approved. The Commission resumed open session at 7:38 pm and stated they went into closed session to seek legal advice on the Commission's responsibilities under Code 16.606.

Mr. Shad swore in the Applicant, Donald Reuwer, Jr. Mr. Reuwer reviewed the materials in the binder submission, including the Residential-Environmental Development (R-ED) zoning district regulations, an overview of the history of the property in question and creation of the Lawyers Hill Historic District. He noted that the historic district overlay does not affect the underlying zoning of the properties within the district boundaries.

Mr. Reuwer acknowledged that Cypress Springs, a residential development outside the Lawyers Hill Historic District, is a hideous example of development and furthers the idea of minimum regulations becoming maximum regulations. Mr. Reuwer aspires to do better than that with this project.

Mr. Reuwer said there are zero-foot side or zero-foot rear setbacks in the R-ED district, which opens up possibilities for detached garages on smaller properties.

Mr. Reuwer showed a slide of a plan that identified specimen trees on the property. The Commission asked if the map was included in their submission packet. Mr. Reuwer said he had a packet of his slide show presentation for the Commission that included the plan.

Mr. Reuwer discussed the lot layouts and their attempt to preserve the view sheds from the scenic Lawyers Hill Road. Mr. Reuwer pointed out the yellow lines on the plan as the limits of disturbance, which include a sewer connection to the nearby Gables of Lawyers Hill development and stated he need to disturb the area but will put it back. Mr. Reuwer stated he purposefully designed the development's entry road to have a

kink in it and set the houses back significantly from Lawyers Hill Road, so that when one drives by they will not see anything other than trees.

Mr. Reuwer reviewed his landscaping plan, noting that it exceeded the County's minimum requirements, including having street trees with a 10-inch caliper, rather than the required minimum of 2.5-inch caliper. The plan also includes evergreens along the perimeter to work with neighbors to hide views of the new homes. The Commission asked if specimen trees shown on the landscaping plan were the same as the previous specimen tree plan. Mr. Reuwer confirmed that was correct. Mr. Reich asked if there was information on the 12-inch caliper or larger diameter trees that were coming out and that were going to be saved. Mr. Reuwer responded that the Commission did not have purview on the removal or addition of those trees. The Commission disagreed. Mr. Reuwer responded that the Guidelines for Lawyers Hill are not the same as the criteria for Ellicott City, and they have not reviewed a subdivision application in Lawyers Hill before. The Commission stated they will examine that and determine their ability to make advisory comments on the trees.

Mr. Roth asked Mr. Reuwer how he is defining specimen trees. Mr. Reuwer responded that his consultant identifies the trees in accordance with Howard County specifications of 30 inches in diameter or larger. The Commission asked if at the bottom of the specimen tree plan that it identified if the trees were staying or being removed. Mr. Reuwer said that the trees that have a yellow 'X' on them have to go. Mr. Reuwer stated based on the tree report, many of the specimen trees to be removed were damaged.

Mr. Roth stated all the specimen trees lists are over 30 inches but the Commission's guidelines call for consideration of all trees over 12 inches in diameter and said that when Mr. Reuwer was previously before the Commission last April he said he would provide a map showing the trees over 12 inches. Mr. Reuwer said that was correct, but that is why he went back through all of the legislation and Mr. Reuwer now feels based on his findings that he has no requirement to identify any trees that are over 12 inch caliper. Mr. Reuwer asked Mr. Taylor to confirm that requirement. Mr. Taylor stated he is not sure where that information is coming from. Mr. Reuwer asked where Mr. Taylor believed he has to identify trees over 12 inches. Mr. Taylor referenced Section 16.606.(d)(1)(I), (II), and (III), which clarifies the Commission is to provide advice on historical resources. Mr. Reuwer responded that he disagrees and that the Department of Planning and Zoning and their legal counsel also disagree.

Mr. Reuwer stated that if the 12-inch tree is in a forest, the tree does not need to be identified. Mr. Reuwer contended that his entire property is a forest and therefore he does not have to identify the 12-inch or larger trees. Mr. Taylor responded that in the Lawyers Hill Historic District Guidelines, there is reference that it is not required to include a specimen tree plan for a certificate of approval to remove trees that are within a forest. Mr. Taylor explained two points: that this application is not a certificate of approval process and Mr. Reuwer proffers that this is a forest, but is not aware of what facts support that or go against that for what constitutes a forest. Mr. Reuwer answered that the consultant that does the forest stand delineation determines what is a forest. Mr. Roth asked if this land was under a Forest Conservation Plan. Mr. Reuwer stated no. Mr. Taylor stated there is a difference between a certificate of approval which this proceeding not and the Commission's responsibility to provide advice on historic resources.

Mr. Reich cited Chapter 9 B, Trees and Other Vegetation, "When reviewing requests for clearing vegetation, grading, or cutting down trees, the Historic District Commission will consider the impact of the changes and the planned treatment of the area on the historic setting of the District". Mr. Reich responded that new plantings and existing trees fall under the Commission's purview in considering its impact upon the entire Historic District and not just this property. Mr. Reuwer stated he had gone through the whole legislation and he did not see where the Commission had any right to ask for that. Mr. Reich asked Mr. Reuwer to point that out. Mr. Reich said Mr. Reuwer talked about the subdivision regulation but the R-ED

requirements are separate from what the Commission looks at. Mr. Reuwer agreed completely and said it is the Planning Board that reviews the R-ED. Mr. Reich said Mr. Reuwer had the right to subdivide the property but that does not supersede the Commission's right to consider its impact on the Historic District. Mr. Reuwer did not know about that statement and said that the Commission had no role in the subdivision process; that the R-ED law applies that is what he is supposed to deal with. Mr. Taylor said he thought Mr. Reuwer was referring to 16.606 (d), how the Commission should provide advice on historic resources and read the Code. Mr. Taylor stated the Commission is in a stance of providing advice on historic resources and not certificate of approval. Mr. Reuwer stated he believed he received that advice already back in April. Mr. Roth stated back in April 2018, the Commission asked for the location of trees that were 12 inches or greater and it was never provided to them. Mr. Roth stated that the Commission could not provide advice on historic resources because they were not provided. Mr. Reuwer believes there is no requirement to make them available. Mr. Roth clarified that the advice is to the Planning Board as well as to the Applicant. Mr. Reuwer agreed. Mr. Roth stated when the Commission provides comments to the Planning Board, the Commission's assessment of the environmental setting is something appropriate to provide to the Planning Board. Mr. Reuwer said that was fine.

Mr. Taylor referred to the April minutes and read, "Mr. Roth recommended to revise the tree survey plans to identify such trees 12 inches or greater dbh and Mr. Reuwer agreed." Mr. Taylor asked if a tree stand delineation of 12 inches or greater dbh were done. Mr. Reuwer said no and stated the subdivision regulations only require 30 inch caliper to be identified and 12 inches caliper is not required. Mr. Roth said this was per the Commission's Guidelines. Mr. Reuwer said, per the Guidelines that don't apply if it is in a forest. Mr. Taylor asked if Mr. Reuwer had a Forest Stand Delineation been done and could be provided. Mr. Reuwer stated he did have that and referred to the plan on the slide. Mr. Taylor asked if there was a full report that could be provided to the Commission. Mr. Reuwer stated there was a report and he could provide it but nothing for 12 inches was identified. Mr. Taylor asked if the report identifies forest on the property. Mr. Reuwer stated the report identified three different forests on the property.

Mr. Reich stated the plan on the slide has more information than what was submitted to them and Mr. Reich said the Commission could get a rough idea that 5 or 6 large specimen trees are being saved, the bulk of the development is in the middle and a lot of new landscaping will be down the proposed street and around the perimeter of the property. Mr. Reuwer stated that essentially the problem and as the subdivision process looks at, the location of the road causes most of the tulip poplar trees to go which is why they plan to beef up the landscape when they put it back. Mr. Reuwer stated that the removal of trees costs money and they don't want to remove more than they have to as people want big trees as it makes the community better. Mr. Reuwer stated he is happy to provide the tree plan and report for 30 inch caliper but Department of Planning and Zoning said he does not need to provide tree information less than 30 inches caliper. Mr. Roth stated the tree report should include trees down to 12 inches dbh per the Guidelines. Mr. Reich asked if the tree report was only for 30 inch dbh trees. Mr. Reuwer said yes, which is what he believes they are supposed to do and meet with Planning and Zoning several times and was told he doesn't need to provide that information. Mr. Reuwer stated he will provide 12 inches or greater if that is required but that the Guidelines seem to refer to single trees in a yard but not in a forest so he doesn't know why he should identify it if it doesn't need permission to remove. Mr. Reich stated we know about the ornamental planting and different trees and landscape and setting are all very important to the character and setting of the Historic District. Mr. Reuwer agreed and stated that is why they are adding ornamental trees in the front and fruit trees in the back yard as he is in support of the landscape guidelines.

Mr. Reuwer continued with his presentation and noted there are 28 properties currently within the district, and thought 10 are found to be not historically significant. Mr. Reuwer presented a slide show of all current Lawyers Hill homes. Mr. Reuwer pointed out commonalities of the houses in the historic district, including that they were created before automobiles, so they did not have garages, and that most were two story

houses. Mr. Reuwer pointed the nice Victorians and how the houses vary in size, some big and some are small. Mr. Roth stated another commonality of the houses is that the houses are separated by landscaping and natural vegetation. Regardless of the size or style of the house, there is natural landscaping and it is a significant part of the environmental setting in Lawyers Hill. Mr. Reuwer stated that was impossible when developing little lots but understood Mr. Roth's point.

Mr. Reuwer showed two types of the houses being proposed in the development that can fit on a small lot. He noted townhomes are allowed in R-ED but he didn't think they were appropriate to the Historic District since townhomes didn't currently exist in the District. He showed examples of the first style is a home with a front entry garage and it is something that the neighbors don't want to see but it could be hidden by a trellis on the garage. The second type is on a lot designed to accommodate a detached garage in the rear of the property which has a zero-lot line set back. Mr. Reuwer proposed the houses include front porches to help establish a sense of community. The houses would be 30 feet apart.

Mr. Reich asked how the topography will change and its effect on the Historic District, and if Mr. Reuwer had created a detailed grading plan. Mr. Reuwer stated he has a grading plan, but questions if the Commission is qualified to understand the plan. Mr. Reuwer stated there will be no retaining walls with minimal grading but Howard County requires roads to have less than a 10% slope so there will be grading. Mr. Reuwer is unable to make the entrance road smaller to minimize tree clearance with that restriction unless he seeks an alternative compliance with the DPZ Director which he is willing to do with community support. Mr. Reich stated the Commission really needs to look if they have enough information to give the Applicant good feedback. Two things lacking is information on the trees and the grading. The Commission requested more information on the site grading and trees before issuing advisory comments to take to the Planning Board.

Mr. Taylor articulated the role of the Commission for giving advisory comments, as there was confusion as to the Commission's purview. It is clear under the Code that things the Commission would normally issue a certificate of approval for, they do not issue a certificate of approval in the case of approved subdivision plans including tree removal. However, that process is very clearly distinct from the advisory comments process that requires the Commission provide advice on impacts to historic resources including the environmental setting, under Section 16.606.(d)(1) (III). The environmental setting of the National Registry of Historic District designation includes mature treed landscape that effects the environmental setting not just on the property but associated properties and that certainly seems to be an element of the historic value of the District.

Mr. Roth referred to the Code explicitly requires the Commission to provide advice to the Planning Board. Mr. Taylor clarified there are times the Commission must give comments and then there are times the Commission may give comments.

Mr. Reich stated the Commission gives advisory comments include setting, landscaping, grading, anything that effects the character of the historic District recognizing that a certificate of approval may not cover those items. Mr. Taylor discussed the Commission's criteria of review.

Mr. Reuwer guaranteed he will be installing more large caliper trees than what they are removing. Mr. Reich's concern was more for the grading and the loss of the historic character if radical grading is being done but the Commission cannot determine that without seeing the grading plan. Mr. Reuwer stated he was doing the minimum changes to the topography necessary to meet the Code.

Mr. Roth referred to the Code Section 16.606 (d) that the Commission gives advise and assist DPZ in identifying historic resources on property that requires subdivision or site development plan approval... and

advise an applicant for subdivision or site development plans approval for a site. Mr. Taylor read the Code, Section 16.606 (d). Mr. Reuwer agreed to provide a grading plan to the Commission.

The Commission also asked for trees 12 inches or more to be identified. Mr. Reuwer asked why the Commission would make him spent a fortune to identify 12 inch caliper trees for what purpose. Mr. Roth said the reason would be so the Commission could provide informed comments per the Code. Mr. Taylor stated that if there was indisputable evidence that trees are located in a forest than that changes the equation which is why he was asking if there was a report accompanying the forest plan because that would be persuasive to the Commission. Mr. Reuwer stated he would submit that to DPZ tomorrow. Mr. Reuwer stated that the Department of Planning and Zoning who consulted with the Office of Law said the only thing the Commission will give a certificate of approval for is the houses themselves. Mr. Reuwer said that as far as he is concerned he has his advisory comments and don't need them anymore. Mr. Roth said that was a reasonable position and another reasonable position is that when the Commission gave those advisory comments, they asked for more information and Mr. Reuwer agreed to do provide that information, so the comments are not complete. Mr. Taylor asked if advisory comments were prepared and submitted to DPZ. Ms. Burgess stated HPC minutes and a summary letter dated May 3, 2018 was given to Mr. Reuwer but no comments had been submitted to DPZ because Mr. Reuwer had had presented three plans to the Commission in April, and needed to clarify which plan was moving forward to receive the advisory comments for a subdivision plan from the Commission. Mr. Reich asked Mr. Reuwer if he would rather continue the meeting tonight or wait until February 7<sup>th</sup>. Mr. Reuwer asked to proceed this evening to get as much advice on the current information.

Mr. Reuwer agreed to provide a full grading plan and Forest Stand Delineation Plan and Report for a work-session at the next Commission meeting on February 7, 2019 and would have the engineer present to answer questions.

#### Public Testimony

Mr. Shad announced that in the interests of time, representatives of an organization or group would have 5 minutes for their testimony and those presenting personal testimony would have 3 minutes.

Mr. Shad swore in Mr. William Wade Sapp, Jr, representing the Rockburn Land Trust in opposition of the application. Mr. Sapp stated that the Rockburn Land Trust and Maryland Environmental Trust hold conservation easements on over 150 acres on 17 properties within the Lawyers Hill Historic District. Allowing a high density subdivision within the Historic District counters decades of hard work on preservation by private citizens, the Land Trust, and the County and State governments. The Rockburn Land Trust is calling for preservation of the scenic and historic setting in the Historic District, and noted that the easements help further the purpose of the Historic District creation. Mr. Sapp read from a letter written by Cindy Hamilton, the former Division Chief of the Zoning Division within the Howard County Department of Planning and Zoning, in support of the creation of three particular conservation easements in the District. The letter noted that the protection of these properties through the creation of the perpetual conservation easements is consistent with the historic preservation goals of Howard County's 2000 General Plan and with the purpose of the Historic District as identified and delineated in the County's zoning maps.

Mr. Sapp said the Rockburn Land Trust would like to apply Ms. Hamilton's message generally to all properties in the Lawyers Hill Historic District.

Mr. Shad swore in Ms. Michelle Kline, a resident of the Historic District in opposition of the application. Ms. Kline said two of her four property lines border the property in question. Ms. Kline noted there are large evergreen trees on the edge of the property that are 50 feet tall and greater than 30 inches in diameter at chest height, but they are not included on Mr. Reuwer's specimen tree plan. Ms. Kline feared these trees

will be cut down and replaced with tract houses that offer only four house designs. Ms. Kline stated she is pleased to hear that detached garages are an option for this development, but she is worried about the lack of architectural diversity. Ms. Kline referred to page 40 of the Lawyers Hill Guidelines about the typical house in the Lawyers Hill Historic District being atypical, and said she would prefer the new houses follow suit and be atypical.

Mr. Shad swore in Mr. Josh Robinson, a resident of the Historic District in opposition of the application. Mr. Robinson came with poster boards that had images of trees on the property that would be cut down and Claremont Overlook, a residential subdivision on another property originally owned by Mr. Pollard. Mr. Robinson owns the Gables, an historic home, and his property borders the property in question on the western boundary. Mr. Robinson has been investing money into restoring his home and is worried that if this development is built his home will be separated from the rest of the Historic District. He also expressed concern about impacts to wetlands on the site which could increase runoff to a nearby stream. Mr. Robinson requested the minimization of the destruction of the western section of Lawyers Hill, so that new generations can enjoy the beauty of the Historic District. Mr. Robinson asked the Commission to enforce the guidelines for grading, setbacks, and destruction of historic trees. Mr. Robinson stated there were existing trees on the border of his property and on this property that were 30 inches or more in diameter that were not included on the specimen tree plans. Mr. Robinson questioned why the trees on the border cannot be kept to buffer his property. Mr. Robinson is concerned that Lawyers Hill will turn into Claremont Overlook.

Mr. Shad swore in Ms. Fern Nerhood, a resident of Elkridge in opposition of the application. Ms. Nerhood submitted charts into testimony showing the number and yearly average of houses built in the District over the decades. The first chart depicted that there is an average of 2.99 acres per the existing 28 homes in the Lawyers Hill Historic District. With the addition of the 17 proposed homes, this would decrease the average acreage to about 1/7 of an acre. The second chart showed that if the proposed homes were held to the pattern of having 2.99 acres per lot, then counting the property as having 8.76 acres, the maximum number of proposed houses that could fit on the property would be 2.93 houses. Ms. Nerhood asserted that having 17 houses built on 8 acres is not in keeping with the Historic District character and a huge variance of what has come prior.

Mr. Shad swore in Ms. Grace Kubofcik, representing the Patapsco Heritage Greenway in opposition of the application. Ms. Kubofcik stated the purpose of the Patapsco Heritage Greenway (PHG) was to preserve, protect, interpret and restore the environment, history and culture of the Patapsco River Valley. The PHG administers the Patapsco Valley Heritage Area and clearly Lawyers Hill Road and the Historic District of Lawyers Hill are part of that heritage area. Ms. Kubofcik said that the Historic District is known for its large wooded lots, unique single-family homes, and limited standalone garages. Ms. Kubofcik argued the plan presented should be complimentary and compatible with the District's established pattern of large lots and individual driveways connecting to the scenic road, with home styles different from each other. Ms. Kubofcik noted that the proposed lot pattern does not follow the Historic District's current lot foot print, and although the proposal does have trees as a buffer to the new development, the trees are not interspersed to provide buffering to other homes.

Mr. Shad swore in Mr. Howard Johnson, representing the Howard County Citizens Association (HCCA) in opposition of the application. Mr. Johnson read his testimony that the HCCA is in full support of the concerns raised by the residents in and surrounding the District related to the proposed Lawyers Hill Overlook development. Mr. Johnson said that the proposed 17 units on 8.5 acres of land has 60% of the density of the 28 existing homes in the District. The HCCA is concerned that the proposed tract housing does not fit with the Historic District and will separate the two adjacent, significant, historic homes.

Mr. Shad swore in James F. McCrory Jr, a resident of Elkridge in opposition of the application. Mr. McCrory stated that Howard County has had the misfortune of overdeveloping the land in Ellicott City and that has magnified flooding susceptibility. Mr. McCrory argued that Lawyers Hill is similar to Ellicott City in topography. Lawyers Hill is made up of 28 historically designated homes constructed over 200 years ago. Mr. McCrory said that allowing 17 homes to be built on land originally meant for one house is setting a precedent for 27 other properties doing similar development. Going from 28 homes to an excess of 450 units of housing, could escalate flooding to levels experienced in Ellicott City, threatening public safety.

Mr. Shad swore in Cathy Hudson, a resident of the Historic District in opposition of the application. Ms. Hudson objected to being limited to 3 minutes for her testimony, when Mr. Reuwer spoke for much longer. Ms. Hudson said that an Environmental Concept Plan had been submitted to the County, but not to the Commission, and distributed copies of the plan. She said the plan was filed months ago, and the grading plan was never given to the Commission by the Department of Planning and Zoning. Ms. Hudson noted that the Forest Stand Delineation Report indicates the development will be taking down five specimen trees out front by the scenic road and all the trees to be removed are healthy, except for one.

Mr. Roth asked Ms. Hudson how she got her information. Ms. Hudson said she got the information from the Department of Planning and Zoning's website. Mr. Roth clarified that the Applicant stated he had not made a submission to the Department of Planning and Zoning, but the Department of Planning and Zoning had these items. Ms. Hudson confirmed, but Mr. Reuwer interrupted and stated he had never said those things. Mr. Reich noted that the plans Ms. Hudson found included grading and attached garages. Mr. Roth responded that the Commission did not have a copy of the grading for the back of the lot, so he would prefer to see the filed plan.

Ms. Hudson submitted a handout as testimony, with information highlighted in yellow relating to the Lawyers Hill Historic District Guidelines, and information highlighted in green from the reports from Mr. Reuwer. Also highlighted in green were Ms. Hudson's requests for changes to the development's design to better comply with the Guidelines, including minimizing the removal of trees and grading, and reconfiguring the lots to allow wider homes and better placement of garages so they are less visible from public roads

Mr. Shad swore in Angela Shiplet, representing the Greater Elkridge Community Association (GECA) in opposition of the application. Ms. Shiplet stated that the Lawyers Hill Historic District is important to the history of Elkridge and distinguishes it from the rest of the County, as it is only one of two historic districts in the County. The GECA voted unanimously to ask the Commission to be strict in upholding the Guidelines with this application and protect the character of the District.

Mr. Shad swore in Lisa Badart, a resident of the Historic District in opposition of the application. Ms. Badart noted she agreed with all prior testimony. Ms. Badart cited the Guidelines that the Commission is to be lenient in its review of new construction, except where such plans would seriously impair the historic or architectural value of the surrounding structures or area. Ms. Badart said what is proposed is not compatible with the current neighborhood. Ms. Badart is concerned that in the District no two houses are the same, the house setbacks are not similar, and the roads curve. Ms. Badart feels that the variation, landscaping and grading are important in the neighborhood. Ms. Badart is certain that some development will happen, but asked that anything that goes there have different window sizes and styles. Ms. Badart proposed that the new development only get approval of two or three house at a time so attention can be paid to the details. Ms. Badart expressed that having screening such as a forest boundary around the new development so there is a clear delineation that the new neighborhood is not historic in nature would be helpful. Ms. Badart also asked that the sign for the new development be low key and natural.

Mr. Shad swore in Mr. Dale Schumacher, a resident of Elkridge in opposition of the application. Mr. Schumacher lives on the other side of I-95 and is not part of the Historic District. Mr. Schumacher feels that if his side of I-95 had been included in the Historic District it would change the feel of it. The addition of Mr. Schumacher's neighbors would make the density be about 1 home per 20 acres, and the majority of the homes there are old historic homes. Mr. Schumacher noted that Section 16.606(c) gives the Commission authority to make recommendations to the Howard County Council on all petitions to create or modify multiple site Historic Districts. Mr. Schumacher petitioned to have his property included in the District and if other individuals were mistakenly excluded from the District when it was created, then the Commission should redraw the District. He also asked the Commission to reconsider the emulation of the housing types in the District.

Mr. Shad swore in Ms. Laura Wisely, a resident of Elkridge in opposition of the application. Ms. Wisely acknowledged the role of the Commission is to best preserve the neighborhood's character, but it is slowly being erased by developers. Ms. Wisely disagreed with adding construction that does not meld with the Historic District. Ms. Wisely noted that Elkridge worked hard to get a National Register Historic District and the development of I-95, I-895, Claremont Overlook, Cypress Springs, and the Gables of Lawyers Hill encroach on the District. Ms. Wisely expressed concern that the new homes would not have facades with historic materials such as wood or stone. Ms. Wisely questioned if the porches would be wide enough for gatherings as in previous centuries. Ms. Wisely was concerned about the topsoil removal during the development and how it would affect the flora and fauna.

Mr. Shad swore in Ms. Lisa Wingate, a co-author of the Lawyers Hill Historic District Guidelines and in opposition of the application. Ms. Wingate argued that the development does not adhere to the Guidelines. Ms. Wingate stated the Commission is required to uphold the application to the Guidelines and they must review the application on behalf of the whole District. The Commission should take into consideration creativity and individual solutions when applying the Guidelines to new construction in Lawyers Hill. Ms. Wingate noted that the Historic District was not created by one developer, but by families subdividing their land for their children, and the homes were often designed by architects not developers. The homes in the Historic District represent 200 years' worth of architecture and no two homes are alike, while the application has homes that are repetitive with design, and that is not consistent with the Guidelines. Ms. Wingate implored the Commission to pay close attention to grading and how the backs and sides of the homes are architecturally delineated. Ms. Wingate reminded the Commission that there is zero precedent for a cul-de-sac in Lawyers Hill. She also noted that close spacing of homes is inappropriate and there should be landscaping to separate the houses.

Mr. Shad swore in Ms. Kristy Mumma, an adjacent neighbor to the development and in opposition of the application. Ms. Mumma agreed with previous testimony that the application is inconsistent with the character of the Historic District due to the smaller lot sizes and house setbacks, no meandering roads, attached front loading garages, much grading and tree removal, cookie cutter type houses, and no blending with the landscape.

Testimony concluded, and the Commission provided the following comments:

Mr. Reich and Mr. Roth wanted to wait until the following month for a tree report and grading plan before making comments since there is a lot to consider. Mr. Reuwer clarified that he is not at the architectural stage yet, but received good ideas about window size and placement. Mr. Reuwer asked if the Commission preferred attached or detached garages as the lot can accommodate detached garages. Mr. Reuwer was amendable to having a few houses at a time be approved by the Commission.



**Motion:**

Mr. Reich moved to continue the case to next month to look over the grading plan and Forest Stand Delineation Plan documents provided by the Applicant. The Commission will provide comments at the end of that meeting. Mr. Roth seconded. The motion was unanimously approved.

**OTHER BUSINESS**

**Work-session for CB3-2019**

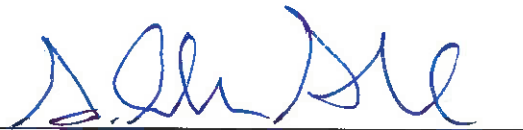
Mr. Roth asked the other members of the Commission if they would like to take a position on CB-03-2019. Mr. Roth explained that the Bill would delete the part of the County Code says you do not need a Certificate of Approval from the Commission for certain work when done in accordance with an approved subdivision plan or site development plan. In that way, they are uniformly applying the design standards to every case.

Mr. Reich stated that when a developer comes in for a new subdivision there is no Certificate of Approval for the street, sidewalks, grading and trees. Mr. Taylor responded that is correct, as long as it is done in accordance with the approved subdivision plan. Mr. Roth stated the way the Code is now, the Commission can give advisory comments on historic resources and hope that the Planning Board listens to the Commission's comments. That creates a risk that the subdivision will not be built in accordance with the Guidelines and then the historic district is fragmented and loses historical characteristics. Mr. Roth volunteered to draft testimony in support of the bill. Mr. Taylor noted that the public hearing to receive testimony on the bill will be held on the first Tuesday in February. The Commission conferred on which member they would like to send to give testimony.

**Motion:** Ms. Tennor moved that the Commission express its support of the proposed legislation Council Bill 3 - 2019 and Commissioner Roth testify to that effect in the public hearing. Ms. Zoren seconded. The motion was unanimously approved.

Mr. Roth moved to adjourn the meeting at 10:33pm. Mr. Reich seconded. The motion was unanimously approved.

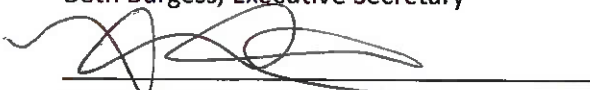
\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.



Allan Shad, Chair



Beth Burgess, Executive Secretary



Kaitlyn Clifford, Recording Secretary